

Becoming a Surrogate Parent Volunteer

The Individuals with Disabilities Education Act (IDEA) was enacted to protect the rights of children with disabilities and ensure that they have available to them a free appropriate public education. Parents play an integral role in the special education process. When, for any number of reasons, a parent is not available to participate in this process, the IDEA has procedures in place to ensure a child's rights are represented. These procedures involve the appointment of a "surrogate parent."

What is a surrogate parent?

Although not specifically defined in federal or state law, a surrogate parent for special education is generally understood to be an adult, other than the parent, who has been appointed to make educational decisions for a child who may be or who has been determined eligible for special education and related services. A surrogate shall be appointed when one of the following conditions exist:

- 1) No parent, as defined in 34 C.F.R. § 300.30, can be identified.
- 2) The school cannot determine the parent's whereabouts after having made reasonable attempts.
- 3) The child is a ward of the state, as defined in 20 U.S.C. § 1402(36), and no parent can be identified or the parent's whereabouts are unknown.
- 4) The child is an unaccompanied youth as defined in the McKinney-Vento Homeless Assistance Act .

What does a surrogate parent do?

Surrogate parents are individuals appointed to act as the parent in making special education decisions for a child. The surrogate parent represents the child in every step of the special education process, including all matters relating to the identification, evaluation, and the educational placement of the child. The surrogate parent actively participates in the Multidisciplinary Evaluation Team (MET) and Individualized Education Program (IEP) meetings and works with the child's school to ensure that he or she receives a free appropriate public education (FAPE).

The following list represents a sampling of the activities that surrogate parents may be involved in:

- giving or refusing consent for the initial evaluation, reevaluations, and initial placement of the child in special education
- reviewing all educational records and reports relating to the child

- participating in and contributing to the child's evaluation, eligibility determination, and special education placement
- participating in the IEP process (e.g., providing input to develop, review, or revise a child's special education program)
- initiating mediation, a written complaint, and/or a due process hearing when disputes arise concerning the identification, evaluation, placement, or provision of a free appropriate public education of a child that cannot be resolved at the local level.

What are the qualifications of a surrogate parent?

A surrogate parent must:

- possess knowledge and skills that will ensure adequate representation of the child, as determined by the Arizona Department of Education (ADE)
- have a valid fingerprint clearance card issued by the Arizona Department of Public Safety.

A surrogate parent may ***not***:

- be an employee of the State Educational Agency, the child's school, or any agency that is involved in the education or care of the child
- have any interests that would conflict with the best interest of the child.

How does a person become a surrogate?

Surrogates are appointed by the Arizona Department of Education from a list of qualified volunteers. In order to be placed on the list, the individual wishing to serve as a surrogate should:

- obtain a fingerprint clearance card from the Arizona Department of Public Safety--for additional information go to <http://www.azed.gov/certification/DPSInformation.pdf>
- complete the *Surrogate Parent Volunteer Application* form and submit it to the Surrogate Parent Program Coordinator at the Arizona Department of Education with a front and back copy of your fingerprint clearance card
- attend a Arizona Department of Education surrogate parent training